

Exhibit 61

Plaintiffs' Corrected Averment of Jurisdictional Facts and
Evidence and/or Statement of Facts as to Defendant Al Rajhi Bank
Pursuant to Rule 56.1

~~TOP SECRET~~ [REDACTED]

(U) FAC No.: SDG-220889

(U) MEMORANDUM FOR: R. RICHARD NEWCOMB
 DIRECTOR
 OFFICE OF FOREIGN ASSETS CONTROL

(U) THROUGH: [REDACTED]
 Chief, Foreign Terrorist Asset Tracking Division

(U) FROM: Foreign Terrorist Division Officer

(U) SUBJECT: Designation of AL-HARAMAIN FOUNDATION-PAKISTAN

(U) ENTITIES:

(U) AL-HARAMAIN FOUNDATION (PAKISTAN OFFICE)

(TS) [REDACTED] Address: Nazimuddin Road in F-10/1, Islamabad, Pakistan [Source: [REDACTED] Exhibit A]

(U) INTRODUCTION:

(U) President Bush issued Executive Order 13224 (September 23, 2001) declaring a national emergency to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001 terrorist attacks in New York, Pennsylvania, and the Pentagon. The E.O. authorizes the Secretary of the Treasury, in consultation with the Secretaries of State and Homeland Security,¹ and the Attorney General, to designate those persons determined to be:

- 1) (U) owned or controlled by, or to act for or on behalf of those persons listed in the Annex to the E.O., or those determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the E.O.;
- 2) (U) assisting in, sponsoring, or providing financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to E.O. 13224 or determined to be subject to the E.O.; or
- 3) (U) associated with those persons listed in the Annex, or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the E.O.

(S) [REDACTED] Al-Haramayn Foundation represents itself as an international humanitarian organization involved in fundraising, construction, relief, and educational projects. It orients its relief efforts exclusively towards Muslim populations in order to spread its

Derived by: [REDACTED]

Derived from: [REDACTED]

Declassify on: [REDACTED]

¹ (U) E.O. 13224 was amended by E.O. 13284 (January 23, 2003) by adding the Secretary of Homeland Security to the consultative process.

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conservative brand of Salafist ideology. The entire Al-Haramayn organization has long been suspected of providing various types of support to terrorist groups including Al-Qaeda, and its offices in Bosnia and Somalia were designated on March 11, 2002, pursuant to E.O. 13224, for providing support to Al-Qaeda. Al-Haramayn's offices in Kenya and Tanzania are similarly being recommended for designation for providing financial and material support to Al-Qaeda and Al-Itihaad Al-Islamiya, both of which were designated on September 23, 2001 as part of the Annex to E.O. 13224.

(U) The following is a summary of the evidence in the files of the Office of Foreign Assets Control which provides reason to believe that the above-named entity satisfies the criteria for designation pursuant to Executive Order 13224, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism."

(U) BACKGROUND ON AL-HARAMAYN'S INTERNATIONAL ACTIVITIES AND BRANCH OFFICES

(S) [REDACTED] The Al-Haramayn Foundation (AHF) is one of the principal Islamic NGOs active throughout the world. AHF has been infiltrated by Al-Qaeda and has been used by al Qaeda for cover and concealment of assets and material, according to military reporting. [REDACTED] Exhibit W; [REDACTED] AHF "belongs to" the Usamah Bin Ladin-established "World Front of the Jihad Against Jews and Christians," which includes the Egyptian Gama Al-Islamiya, the Egyptian Islamic Jihad (EIJ), the Abu Sayyaff Group (ASG) and the Harakat Ul Ansar of Pakistan, according to military reporting [REDACTED] Exhibit Y; [REDACTED] Exhibit Z] All these organizations are Specially Designated Global Terrorists pursuant to E.O. 13224.

(S) [REDACTED] Prior to the removal of the Taliban from power in Afghanistan, AHF had links to the UBL-financed Makhtab al-Khidemat (MK), [REDACTED]

[REDACTED] MK is a Specially Designated Global Terrorist pursuant to E.O. 13224. [REDACTED] Exhibit AA] [REDACTED]

(S) As of January 2003, it appears that numerous AHF field offices and representatives operating throughout Africa, Asia, Europe, and North America appeared to be providing financial and logistical support to Al-Qaeda. Terrorist organizations including Al-Itihaad Al-Islamiya, Egyptian Islamic Jihad, Hamas, Lashkar I-Tayyiba were receiving funding from AHF and using AHF as a front for fundraising and operational activities. [REDACTED] Exhibit CC]

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(TS) [REDACTED] In one instance later in 2003, a journalist suspected of meeting with Al-Qaeda and Taliban members in Afghanistan was also suspected of transferring funds on behalf of the Al-Qaeda-affiliated AIE, and forwarding videotapes from Al-Qaeda leaders to al-Jazeera TV for broadcast, [REDACTED]

[REDACTED] Exhibit DD] [REDACTED]

[REDACTED] Exhibit EE] [REDACTED]

(U) AL-HARAMAIN FOUNDATION (PAKISTAN OFFICE)

(TS) [REDACTED]

UBL is a Specially Designated Global Terrorist pursuant to the authorities of E.O. 13224. [REDACTED]

[REDACTED] Exhibit A] [REDACTED]

(TS) [REDACTED]

[REDACTED] Exhibit C] [REDACTED]

(TS) [REDACTED] At least two former AHF employees that worked in Pakistan are suspected of Al-Qaeda ties. One AHF employee in Pakistan is detained at Gauntanamo Bay on "suspicion of financing Al-Qaeda operations." [REDACTED]

[REDACTED] Exhibit I] [REDACTED]

(S) [REDACTED] Prior to the removal of the Taliban from power in Afghanistan, AHF supported the cause of Jihad and was linked to the UBL-financed Makhtab al-Khidmat (MK), [REDACTED] MK is a Specially Designated Global Terrorist pursuant to the authorities of E.O. 13224. [REDACTED]

[REDACTED] Exhibit N] [REDACTED]

[REDACTED] Exhibit E] [REDACTED]

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[Exhibit O]

(S) [REDACTED] AHF in Pakistan also supports Jamiat ul Dawa (JUD) and Lashkar E-Taibah (LET), both Specially Designated Global Terrorist organizations pursuant to the authorities of E.O. 13224. After LET was officially banned in Pakistan on January 12, 2002, LET began using the name JUD to continue operating in Pakistan, [REDACTED]

(S) [REDACTED] A detained political official and admitted member of JUD, identifying AHF as one of three Non Governmental Organizations (NGO) financially supporting JUD, provided details about how JUD receives financial support, according to Department of Defense reporting. When JUD requires financial assistance, an estimate is sent to one of the three NGO's, among them AHF. Funds are then provided to JUD either in personal meetings, in which representatives from the NGO and JUD discuss the proposed estimate and reach an agreement; or by wire transfers, to a bank account in the name of the Sheikh in charge of JUD, according to Department of Defense reporting. During 1998-2001, the JUD detainee conducted four or five meetings with representatives from AHF. [REDACTED]

[REDACTED] Exhibit L [REDACTED] Exhibit M]

(S)

(S) [REDACTED] The AHF Pakistan offices should be determined to be subject to Executive Order 13224 for the following reasons:

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~~TOP SECRET~~ [REDACTED]

- Directed by an individual that is an Al-Qaeda facilitator, AHF in Pakistan is controlled by Al-Qaeda
- By employing Al-Qaeda members suspected of supporting Al-Qaeda operations, AHF in Pakistan is controlled by or acting on behalf of, or is assisting in, sponsoring, or providing financial, material, or technological support for, or financial or other services to or in support of Al-Qaeda.
- By financially supporting LET in Pakistan, AHF is assisting, sponsoring or providing financial, material, or technological support for, or financial or other services to or in support of LET.
- [REDACTED]
- By maintaining bank accounts controlled by the MK Director, AHF in Pakistan is controlled by or acting on behalf of, or is assisting in, sponsoring, or providing financial, material, or technological support for, or financial or other services to or in support of MK.

~~TOP SECRET~~ [REDACTED]